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Dear Chief Executive:

The Office of the Attorney General and the Massachusetts Office on Disability have been working with local and municipal governments to ensure that people with disabilities are not denied access to public meetings. Even though these efforts have been very successful, we want to remind you and other local officials that all residents of a community have the right to access to all municipal decision-making bodies. As you may know, this right is guaranteed by both state and federal laws, including the federal Rehabilitation Act of 1973, § 504; the federal Voting Rights Act; the Massachusetts Equal Rights Act, G.L. c. 93, § 103; the state's public accommodations law, G.L. c. 272, §§ 92A, 98; the state's open meeting law, G.L. c. 39, § 23A, et seq.; and Article 114 of the Massachusetts Constitution.

The primary factors embodied in these laws are:

Meetings that are open to the public should be held in locations that provide, at a minimum, accessible parking, an accessible path of travel, an accessible entrance, and, if bathrooms are provided for public use, an accessible bathroom. Requirements such as making advance arrangements to attend meetings or being carried up stairs are unacceptable methods for obtaining access to meetings.

To assure full participation, municipalities must also address the communication needs of people with disabilities. Upon request, written material should be made available in alternative formats (e.g., large print, braille or audio tape). Auxiliary aides should also be provided at public meetings when necessary to provide full participation. For example, if a resident who is deaf wishes to participate, a sign language interpreter should be provided.

We are available to provide assistance if you have any questions about what is legally required under both state and federal laws governing access to public meetings. If you would like technical assistance in evaluating specific measures your town or local government should take to ensure compliance with these laws, you may call the Massachusetts Office on Disability at 1-800-322-2020 (617-727-7440 in Boston) or the Attorney General's Disability Rights Project at (617) 727-2200.

Sincerely,

Thomas F. Reilly
Attorney General

Myra Berloff
Massachusetts Office on Disability